
Judiciary Committee

HB 1278

Title: An act relating to establishing a process for providing notice to a contact persons in the event a person is injured and requires emergency care.

Brief Description: Establishing a process for providing notice to a contact person in the event a person is injured and requires emergency care.

Sponsors: Representatives Pearson and Hurst.

Brief Summary of Bill

- Establishes a registry where a person can designate an emergency contact person to be contacted in the event the person is in need of or receives emergency care.
- Requires the first law enforcement officer or health care provider who provides emergency care to a person to make a reasonable effort to contact the person's designated emergency contact.
- Provides partial immunity for damages resulting from acts or omissions in providing or attempting to provide notice to a designated contact person.

Hearing Date: 2/19/09

Staff: Edie Adams (786-7180)

Background:

When a person is involved in an emergency situation and unable to communicate, it can be difficult for law enforcement or other entities responding to the emergency to locate and notify the person's family members.

In 2004, a national Next of Kin Registry (NOKR) was established to help facilitate the emergency notification process for families and individuals involved in emergency situations. The NOKR is a non-profit organization that allows registrants to provide emergency contact

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information that will be made available to emergency agencies that have registered with the NOKR.

Ohio established a next of kin registry in 2008 within the Ohio Bureau of Motor Vehicles that allows Ohio residents to register the names of persons to be contacted in cases of emergency. The registry is accessible by law enforcement and Bureau of Motor Vehicle personnel.

There is not currently a state-administered registry in Washington specifically for designating a contact person to notify in the case of an emergency. The Department of Health maintains a living will registry that allows a person to store living will documents in an online database accessible by authorized health care providers. This database also stores the emergency contact information for persons who register their living will documents.

Summary of Bill:

The Department of Licensing (DOL) must publish notices that the DOL maintains a registry where a person can designate an emergency contact person to be contacted in the event the person is in need of or receives emergency care.

A person who decides to enter a designated contact into the registry must provide the same identifying information as is required from an applicant for a drivers' license. To designate a contact, the person must provide the contact's name, phone number, and relationship to the person.

The registry must be electronically accessible by law enforcement and health care providers. The first law enforcement officer or health care provider who determines a person is in need of emergency care or who provides emergency care to the person must:

- make a good faith effort within a reasonable time to access the registry and contact the person's designated emergency contact;
- confirm the identity of any person contacted;
- provide the contact person with the name of the injured person, general location of the injured person, and where the injured person is to be transferred; and
- provide the contact person with the law enforcement officer's or health care provider's name and agency.

Any person, including the DOL and its employees, and any law enforcement officer or health care provider, who complies with this section is immune from liability for acts or omissions in providing or attempting to provide notice to a designated contact, except for acts or omissions constituting gross negligence or willful or wanton misconduct.

Appropriation: None.

Fiscal Note: Requested on February 11, 2009.

Effective Date: The bill takes effect 90 days after adjournment of the session in which the bill is passed.